

K Great Brit. Geo II

Read 8 March 1742 in Lords

[1] Enacted

England. 15 Geo II Private Acts, c. 36

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212. R. 6
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An ACT for settling certain Messuages, Lands, and Hereditaments in Great Driffield in the County of York, Part of the Estate of James Manuel, late of New Malton in the same County, deceased, To the Uses mentioned in certain Articles of Agreement, made between the Widow, and the Daughters and Cobeirs, of the said James Manuel.



Whereas James Manuel, late of New Malton in the County of York, Chandler, deceased, did on or about the Second Day of December in the Year of Our Lord One thousand Seven hundred and Thirty-one, make and publish his last Will and Testament in Writing, bearing Date the same Day and Year, and thereby amongst other Things gave all his Messuages, Lands, Tenements, and Hereditaments in Great Driffield in the County of York, unto his Wife Mary Manuel, and her Assigns, until his Daughter Mary should attain her Age of One-and-twenty Years, and so soon as his said Daughter Mary should have attained her Age of One-and-twenty Years, he gave unto his said Wife Mary, and his said Daughter Mary, all the said Lands and Tenements, and the Rents and Profits thereof, until his

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Daughter

Daughter *Jane* should attain her Age of One-and-twenty Years, equally betwixt them; and so soon as his said Daughter *Jane* should have attained her Age of Twenty-one Years, he gave unto his said Daughter *Mary*, and his said Daughter *Jane*, all the said Lands, Tenements, and Hereditaments, to hold equally betwixt them, as Tenants in common, for and during their natural Lives, without Impeachment of Waste (subject nevertheless to the Annuity, Proviso, and Conditions herein after mentioned); and from and after the Determination of that Estate, he gave the same to Trustees therein named, and their Heirs, during the natural Lives of his said Daughters *Mary* and *Jane*, to the Intent to preserve the contingent Remainders thereof therein after limited, from being destroyed; and from and after the Decease of his said Daughters, he gave the same unto the first Sons of the Bodies of his said Daughters, and to the Heirs of the Bodies of such first Sons; and for Default of such Issue, to the second, third, and fourth Sons, and to all and every other Sons of the Bodies of his said Daughters, severally and successively one after another, as they and every of them should be in Priority of Birth, and Seniority of Age; and to the Heirs of the Bodies of all and every Sons respectively issuing, the elder of such Sons, and the Heirs of their Bodies lawfully issuing, being always to be preferred, and to inherit, before the younger of such Sons, and the Heirs of their Bodies; and for Default of such Issue Male of the Bodies of his said Daughters, he gave the same unto the first Issues Females of the Bodies of his said Daughters, and to the Heirs of such Females, in like Manner, and under the same Limitations, as he had given and limited the same to their first Issues Males, the Issues Males or Females of his said Daughters to inherit and take the said Premises as Tenants in common; and for Default of such Issue, he gave all the said Lands, Tenements, and Hereditaments unto his Daughter *Frances*, Wife of *Matthew Lister*, of *New Malton* aforesaid, Grocer, and her Assigns, during the Term of her natural Life, without Impeachment of Waste; and from and after the Determination of that Estate, he gave the same unto the same Trustees, and their Heirs, during the natural Life of his said Daughter *Frances*, to the Intent to preserve the contingent Remainders thereof therein after limited, from being destroyed; and from and immediately after the Decease of his said Daughter *Frances*, he gave the same unto the first Son of the Body of the said *Frances*, lawfully to be begotten, and to the Heirs of the Body of such first Son; and for Default of such Issue, to the second, third, and fourth Sons, and to all and every other Son and Sons of the Body of the said *Frances*, lawfully to be begotten, severally, successively, and respectively, one after another, as they and every of them should be in Priority of Birth, and Seniority of Age, and to the Heirs of the Body and Bodies of all and every such Son and Sons respectively issuing, the elder of such Sons, and the Heirs of his Body, being always to be preferred, and to inherit, before the younger of such Sons, and the Heirs of his Body; and for Default of such Issue Male of the Body of his said Daughter *Frances*, he gave the same unto the first Issue Female of the Body of his said Daughter *Frances*, lawfully issuing, and to the Heirs of such Issue Female, in



in like Manner, and under the same Limitations, as he had given and limited the same to her first Issue Male; and for Default of such Issue, he gave the same unto *Francis Spink* the younger, of *East Heslerton*, in the said County of *York*, and to his Heirs for ever: But notwithstanding the said Bequest to his said Daughters *Mary* and *Jane*, and the Limitations above-mentioned, he declared his Will to be, That when either of his said Daughters *Mary* and *Jane* should first die, and it should happen, that his Daughter so first dying should leave no Issue, then he gave One Moiety or half Part of the said Premises to his said Wife *Mary*, (if she should be then living) and to her Heirs, upon Trust, that she should settle and limit the same Moiety upon the said *Mary* and *Jane* his Daughters, which of them should happen to survive the other, and his said Daughter *Frances*, in such Proportions as she should think fit, but in like Manner and Form as the whole Premises were by him before settled and limited; but if his said Wife should not be then living, then in such Case, as aforesaid, he did thereby direct, that the Survivor of his said Daughters *Mary* and *Jane* should pay to his said Daughter *Frances*, if she should be then living, or if dead, to her Issue, if she should leave any, and not otherways, the Sum of Two hundred Pounds, to the Payment of which Sum he did thereby make his said Estate at *Great Driffild* subject; and he further declared his Will to be, That when his said Daughters *Mary* and *Jane* should both have attained their Ages of One-and-twenty Years, that they should pay yearly to his said Wife, during such Time as she should continue his Widow, the Sum of Ten Pounds, by equal Portions, the first half-yearly Payment thereof to commence from the Day his Daughter *Jane* should attain her Age of One-and-twenty Years; and for the true Payment of the said Annuity of Ten Pounds, he did thereby charge and make subject his said Lands and Tenements in *Great Driffild*: And he did by his said Will further declare, That the Bequest of his said Estate at *Great Driffild* to his Daughters *Mary* and *Jane* should be upon this Condition, That if either of his said Daughters *Mary* and *Jane* should marry without the Consent and Approbation of his Wife, and of *Thomas Boreman*, of *New Malton* aforesaid, Mercer, and such of his said Daughters so marrying not having a Jointure made of Forty Pounds *per Annum*, in Lands, before her Marriage, then such Daughter so marrying, or her Issue, should have no Benefit of the said Bequest; but her Share and Interest in the said Premises should go to the other Daughter not so marrying, and his said Daughter *Frances*, equally betwixt them and their Issue, in like Manner as the same is above limited, as by the said last Will and Testament, relation thereto being had, may appear:

And whereas the said *James Manuel*, after the due Execution of his said Will, died on or about the Tenth Day of *December* in the said Year of Our Lord One thousand Seven hundred and Thirty-one, without revoking or altering the same, and leaving no other Issue than his said Three Daughters, who are his Heirs at Law:

And

and whereas by Indentures of Lease and Release, bearing Date respectively the Seventh and Eighth Days of *December* in the Year of Our Lord One thousand Seven hundred and Nineteen, the Release being made or mentioned to be made between *Henry Revell*, of *Gainsborough*, in the County of *Lincoln*, Mercer, and *Susanna* his Wife, of the one Part; and the said *James Manuel*, and *Mary* his Wife, of the other Part; the greatest Part of the said Premises were granted and conveyed unto the said *James Manuel*, and his Heirs, To the Use of the said *James Manuel*, and the said *Mary* his Wife, for and during their natural Lives, and the Life of the longer Liver of them; and after the Decease of the Survivor of them, To the Use of the Issue of the said *James Manuel*, on the Body of the said *Mary* his Wife, lawfully begotten or to be begotten, or to and for such other Use or Uses, as the said *James Manuel* by his last Will and Testament in Writing, or by any other Act or Deed in Writing, under his Hand and Seal, attested by Three or more credible Witnesses, should limit and appoint the same; and for Default of such Issue, or such Limitation or Appointment, to the right Heirs of the said *James Manuel* for ever; so that the Limitations made by the Will of the said *James Manuel*, of the said granted Premises so settled as aforesaid, could not take Effect according to the Intention of the said Will; It was by Articles of Agreement, bearing Date the Second Day of *November* in the Year of our Lord One thousand Seven hundred and Forty one, and made between the said *Mary Manuel* the Mother, of the First Part; the said *Matthew Lister*, and *Frances* his Wife, of the Second Part; and the said *Mary Manuel* the Daughter, and the said *Jane Manuel*, of the Third Part, covenanted, concluded, and agreed, by and between the said Parties to the said Articles, amongst other Things, That all and every the said Premises, or such other Lands or Tenements as should be allotted in lieu thereof, or any Part thereof, pursuant to an Act of Parliament made in the Fourteenth Year of the Reign of his present Majesty, [intituled, *An Act for dividing and inclosing several open Fields, Pastures, and Commons, in the Townships of Great Driffeld and Little Driffeld, in the County of York, and for settling certain yearly Payments to the Prebendary of Driffeld, for the Time being, in lieu of his Tythes, pursuant to an Agreement and an Award made for those Purposes*] should be vested, and that they the said *Mary Manuel* the Mother, *Matthew Lister*, and *Frances* his Wife, *Mary Manuel* the Daughter, and *Jane Manuel*, and every of them, should use their utmost Endeavours to obtain an Act of Parliament in the then next Session of Parliament, to vest the same Premises in *Thomas Giles*, of *Lund* in the said County, Yeoman, and *Thomas Rowntree*, of *New Malton* aforesaid, Yeoman, and their Heirs, freed and discharged of and from all Devises, Annuities, Payments, Provisoos, Conditions, Limitations, and Restrictions in the before recited Will mentioned, but nevertheless to the several Uses herein after mentioned and expressed; And it was by the said Articles further agreed upon by and between the said Parties thereto, That in Consideration of the said *Mary Manuel* the Mother's Consenting to have the said Premises limited as therein is agreed upon, each of her said Three Daughters, or their respective Heirs, Executors, or Administrators

strators, should pay unto her the said *Mary Manuel* the Mother, the yearly Sum of Five Pounds, during the Term of her natural Life, by Two equal half-yearly Payments, at *Christmas* and *Midsummer*, without any Deduction whatsoever; the first half-yearly Payment of the said several yearly Sums of Five Pounds each to begin and be made at *Christmas* next ensuing the Date of the said Articles; and that for securing the Payment of the said Three several yearly Sums of Five Pounds accordingly, the said *Matthew Lister*, in Behalf of his said Wife *Frances*, her Heirs, Executors, or Administrators, and the said *Mary Manuel* the Daughter, and *Jane Manuel*, should each of them, immediately after the Execution of the said Articles, give Bond unto the said *Mary Manuel* the Mother, in the Penalty of One hundred Pounds each Bond, with Condition thereunder respectively written for the due Payment of the said several yearly Sums, by them respectively, or their respective Heirs, Executors, or Administrators, at the Times and in Manner aforesaid, as by the same Articles, relation thereunto being had, may more fully appear:

And whereas by reason of the different Limitations aforesaid, in the said Indenture of Release, and in the said Will, and especially by reason of the great Uncertainties of the said Limitations in the said Will, many Suits at Law or in Equity may arise amongst the said Parties to the said Articles, and between the said Daughters of the said *James Manuel*, or some of them, their or some of their Issue or Issues, which might tend to the Impoverishment and Ruin of the Parties concerned therein; and the said Testator's Intentions for the Good of his Family may be thereby wholly disappointed; to prevent which, the said Articles were so made, as aforesaid, and the said Premises are thereby agreed to be settled, as near as may be, to the Uses in the said Will expressed:

And whereas the said *Matthew Lister*, *Mary Manuel* the Daughter, and *Jane Manuel*, did each of them, upon the Execution of the said Articles, give such Bond unto the said *Mary Manuel* the Mother, in pursuance of the said Agreement:

And whereas the said *Francis Spink* the younger is an Infant, under the Age of Twenty-one Years, by reason whereof, and of the other Circumstances aforesaid, the Intentions and Agreements aforesaid of the Parties to the said Articles cannot be made effectual without the Aid of an Act of Parliament:

May it therefore please Your MAJESTY,

At the humble Suit and Request of the said *Mary Manuel* the Mother, *Matthew Lister* and *Frances* his Wife, *Mary Manuel* the Daughter, and *Jane Manuel*, That it may be **Enacted**; and be it **Enacted**, by the KING's most Excellent MAJESTY, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled,

assembled, and by the Authority of the same, That all and singular the
 said Messuages, Lands, Tenements, and Hereditaments, mentioned or in-
 tended to have been given or devised by the said Will of the said *James*
Manuel, as aforesaid, or such other Lands or Tenements as shall be allotted
 in lieu thereof, or of any Part thereof, pursuant to the said Act of Par-
 liament made in the Fourteenth Year of his present Majesty's Reign, shall be,
 and hereby are vested, in the said *Thomas Giles*, and *Thomas Rowntree*, and
 their Heirs, (freed and discharged of and from all Devises, Annuities, Pay-
 ments, Provisoos, Conditions, Limitations, and Restrictions in the said Will
 mentioned) to the several Uses in the said recited Articles and herein after
 mentioned and expressed; that is to say, as to, for, and concerning One
 undivided Third Part of all and singular the said Premises in *Great Drif-*
field aforesaid, or of such other Lands and Tenements as shall be allotted
 in lieu thereof, or of any Part thereof as aforesaid, To the Use of the
 said *Frances Lister*, during the Term of her natural Life, without Im-
 peachment of Waste; Remainder to the said *Thomas Giles*, and *Thomas Rown-*
tree, and their Heirs, during the Life of the said *Frances Lister*, upon Trust,
 to support the contingent Uses herein after limited or expressed; and from
 and after the Decease of the said *Frances Lister*, To the Use of the first
 Son of the Body of the said *Frances Lister*, lawfully begotten or to be
 begotten, and the Heirs of the Body of such first Son; and for want of
 such Issue, To the Use of the second, third, and all and every other the
 Son and Sons of the Body of the said *Frances Lister*, successively in Tail
 general; and for Want of such Issue, To the Use of the first Daughter of
 the Body of the said *Frances Lister*, lawfully begotten or to be begotten, and
 to the Heirs of the Body of such first Daughter; and for want of such Issue,
 To the Use of the second, third, and all and every other the Daughter and
 Daughters of the Body of the said *Frances Lister*, successively in Tail
 general; and for Default of such Issue, then as to One undivided Moiety
 of the said undivided third Part, To the Use of the said *Mary Manuel* the
 Daughter, during the Term of her natural Life, without Impeachment of
 Waste; Remainder to the Trustees last named, and their Heirs, during the
 Life of the said *Mary Manuel* the Daughter, upon Trust, to support the
 contingent Uses herein after limited or expressed; and from and after the
 Decease of the said *Mary Manuel* the Daughter, To the Use of the first Son
 of the Body of the said *Mary Manuel* the Daughter, and the Heirs of the
 Body of such first Son; and for Default of such Issue, To the Use of the
 second, third, and all and every other the Son and Sons of the Body of the
 said *Mary Manuel* the Daughter, successively in Tail general; and for want
 of such Issue, to the Use of the first Daughter of the Body of the said
Mary Manuel the Daughter, and the Heirs of the Body of such first
 Daughter; and for want of such Issue, To the Use of the second, third, and
 all and every other the Daughter and Daughters of the Body of the said
Mary Manuel the Daughter, successively in Tail general; and for want of
 such Issue, To the Use of the said *Jane Manuel*, for and during the Term
 of her natural Life, without Impeachment of Waste; Remainder to the same
 Trustees, and their Heirs, during the Life of the said *Jane Manuel*, upon
 Trust, to support the contingent Uses herein after limited or expressed;
 and

and from and after the Decease of the said *Jane Manuel*, To the Use of
 the first Son of the Body of the said *Jane Manuel*, and the Heirs of the
 Body of such first Son; and for want of such Issue, To the Use of the
 second, third, and all and every other the Son and Sons of the Body of
 the said *Jane Manuel*, successively in Tail general; and for want of such
 Issue, To the Use of the first Daughter of the Body of the said *Jane Ma-*
nuel, and the Heirs of the Body of such first Daughter; and for want of
 such Issue, To the Use of the second, third, and all and every other the
 Daughter and Daughters of the Body of the said *Jane Manuel*, successively
 in Tail general; and for want of such Issue, To the Use of the said *Francis*
Spink the younger, his Heirs and Assigns, for ever: And as to the other
 undivided Moiety of the said undivided Third Part, To the Use of the said
Jane Manuel, for and during the Term of her natural Life, without Im-
 peachment of Waste; Remainder to the same Trustees, and their Heirs,
 during the Life of the said *Jane Manuel*, upon Trust, to support the con-
 tingent Uses herein after limited or expressed; and from and after the De-
 cease of the said *Jane Manuel*, To the Use of the first Son of the Body of
 the said *Jane Manuel*, and the Heirs of the Body of such first Son; and for
 want of such Issue, To the Use of the second, third, and all and every other
 Son and Sons of the Body of the said *Jane Manuel*, successively in
 Tail general; and for want of such Issue, To the Use of the first Daughter
 of the Body of the said *Jane Manuel*, and the Heirs of the Body of such
 first Daughter; and for want of such Issue, To the Use of the second, third,
 and all and every other the Daughter and Daughters of the Body of the
 said *Jane Manuel*, successively in Tail general; and for want of such Issue,
 To the Use of the said *Mary Manuel* the Daughter, during the Term of
 her natural Life, without Impeachment of Waste; Remainder to the same
 trustees, and their Heirs, during the Life of the said *Mary Manuel* the
 daughter, upon Trust, to support the contingent Uses herein after limited
 or expressed; and from and after the Decease of the said *Mary Manuel* the
 daughter, To the Use of the first Son of the Body of the said *Mary Ma-*
nuel the Daughter, and the Heirs of the Body of such first Son; and for
 want of such Issue, To the Use of the second, third, and all and every
 other the Son and Sons of the Body of the said *Mary Manuel* the Daughter,
 successively in Tail general; and for want of such Issue, To the Use of the
 first Daughter of the Body of the said *Mary Manuel* the Daughter, and the
 Heirs of the Body of such first Daughter; and for want of such Issue, To
 the Use of the second, third, and all and every other the Daughter and
 daughters of the Body of the said *Mary Manuel* the Daughter, successively
 in Tail general; and for Default of such Issue, To the Use of the said
Francis Spink the younger, his Heirs and Assigns for ever: And as to, for,
 and concerning One other undivided Third Part of all and singular the said
 premises in *Great Driffeld* aforesaid, or of such other Lands and Tene-
 ments as shall be allotted in lieu thereof, or of any Part thereof, as afore-
 said, To the Use of the said *Mary Manuel* the Daughter, during the Term
 of her natural Life, without Impeachment of Waste; Remainder to the
 same Trustees, and their Heirs, during the Life of the said *Mary Manuel*
 the Daughter, upon Trust, to support the contingent Uses herein after
 limited

limited or expressed; and from and after the Decease of the said *Mary Manuel* the Daughter, To the Use of the first Son of the Body of the said *Mary Manuel* the Daughter, lawfully to be begotten, and the Heirs of the Body of such first Son; and for want of such Issue, To the Use of the second, third, and all and every other the Son and Sons of the Body of the said *Mary Manuel* the Daughter, successively in Tail general; and for want of such Issue, To the Use of the first Daughter of the Body of the said *Mary Manuel* the Daughter, and the Heirs of the Body of such first Daughter; and for want of such Issue, To the Use of the second, third, and all and every other the Daughter and Daughters of the Body of the said *Mary Manuel* the Daughter, successively in Tail general; and for want of such Issue, then as to One undivided Moiety of the said last-mentioned undivided Third Part, To the Use of the said *Frances Lister*, for and during the Term of her natural Life, without Impeachment of Waste; Remainder to the same Trustees, and their Heirs, during the Life of the said *Frances Lister*, upon Trust, to support the contingent Uses herein after limited or expressed; and from and after the Decease of the said *Frances Lister*, To the Use of the first Son of the Body of the said *Frances Lister*, and the Heirs of the Body of such first Son; and for want of such Issue, to the Use of the second, third, and all and every other the Son and Sons of the Body of the said *Frances Lister*, successively in Tail general; and for want of such Issue, To the Use of the first Daughter of the Body of the said *Frances Lister*, and the Heirs of the Body of such first Daughter; and for want of such Issue, To the Use of the second, third, and all and every other the Daughter and Daughters of the Body of the said *Frances Lister*, successively in Tail general; and for want of such Issue, To the Use of the said *Jane Manuel*, during the Term of her natural Life without Impeachment of Waste; Remainder to the same Trustees, and their Heirs, during the Life of the said *Jane Manuel*, upon Trust, to support the contingent Uses herein after limited or expressed; and from and after the Decease of the said *Jane Manuel*, To the Use of the first Son of the Body of the said *Jane Manuel*, and the Heirs of the Body of such first Son; and for want of such Issue, To the Use of the second, third, and all and every other the Son and Sons of the Body of the said *Jane Manuel*, successively in Tail general; and for want of such Issue, To the Use of the first Daughter of the Body of the said *Jane Manuel*, and the Heirs of the Body of such first Daughter; and for want of such Issue, To the Use of the second, third, and all and every other the Daughter and Daughters of the Body of the said *Jane Manuel*, successively in Tail general; and for want of such Issue, To the Use of the said *Francis Spink* the younger, and his Heirs and Assigns for ever: And as to the other undivided Moiety of the said last-mentioned undivided third Part, To the Use of the said *Jane Manuel*, during the Term of her natural Life, without Impeachment of Waste; Remainder to the same Trustees, and their Heirs, during the Life of the said *Jane Manuel*, upon Trust, to support the contingent Uses herein after limited or expressed; and from and after the Decease of the said *Jane Manuel*, To the Use of the first Son of the Body of the said *Jane Manuel*, and the Heirs of the Body

Body of such first Son; and for want of such Issue, To the Use of the second, third, and all and every other the Son and Sons of the Body of the said *Jane Manuel*, successively in Tail general; and for want of such Issue, To the Use of the first Daughter of the Body of the said *Jane Manuel*, and the Heirs of the Body of such first Daughter; and for want of such Issue, To the Use of the second, third, and all and every other the Daughter and Daughters of the Body of the said *Jane Manuel*, successively in Tail general; and for want of such Issue, To the Use of the said *Frances Lister*, during the Term of her natural Life, without Impeachment of Waste; Remainder to the same Trustees, and their Heirs, during the Life of the said *Frances Lister*, upon Trust, to support the contingent Uses herein after limited or expressed; and from and after the Decease of the said *Frances Lister*, To the Use of the first Son of the Body of the said *Frances Lister*, and the Heirs of the Body of such first Son; and for want of such Issue, To the Use of the second, third, and all and every other the Son and Sons of the Body of the said *Frances Lister*, successively in Tail general; and for want of such Issue, To the Use of the first Daughter of the Body of the said *Frances Lister*, and the Heirs of the Body of such first Daughter; and for want of such Issue, To the Use of the second, third, and all and every other the Daughter and Daughters of the Body of the said *Frances Lister*, successively in Tail general; and for want of such Issue, To the Use of the said *Francis Spink* the younger, and his Heirs and Assigns for ever: And as to, for, and concerning the remaining undivided Third Part of all and singular the said Premises in *Great Driffeld* aforesaid, or of such other Lands and Tenements as shall be allotted in lieu thereof, as aforesaid, To the Use of the said *Jane Manuel*, during the Term of her natural Life, without Impeachment of Waste; Remainder to the same Trustees, and their Heirs, during the Life of the said *Jane Manuel*, upon Trust, to support the contingent Uses herein after limited or expressed; and from and after the Decease of the said *Jane Manuel*, To the Use of the first Son of the Body of the said *Jane Manuel*, lawfully to be begotten, and the Heirs of the Body of such first Son; and for want of such Issue, To the Use of the second, third, and all and every other the Son and Sons of the Body of the said *Jane Manuel*, successively in Tail general; and for want of such Issue, To the Use of the first Daughter of the Body of the said *Jane Manuel*, and the Heirs of the Body of such first Daughter; and for want of such Issue, To the Use of the second, third, and all and every other the Daughter and Daughters of the Body of the said *Jane Manuel*, successively in Tail general; and for want of such Issue, then as to One undivided Moiety of the said last-mentioned and remaining undivided Third Part, To the Use of the said *Frances Lister*, during the Term of her natural Life, without Impeachment of Waste; Remainder to the same Trustees, and their Heirs, during the Life of the said *Frances Lister*, upon Trust, to support the contingent Uses herein after limited or expressed; and from and after the Decease of the said *Frances Lister*, To the Use of the first Son of the Body of the said *Frances Lister*, and the Heirs of the Body of such first Son; and for want of such

Issue, To the Use of the second, third, and all and every other the Son and Sons of the Body of the said *Frances Lister*, successively in Tail general; and for want of such Issue, To the Use of the first Daughter of the Body of the said *Frances Lister*, and the Heirs of the Body of such first Daughter; and for want of such Issue, to the Use of the second, third, and all and every other the Daughter and Daughters of the Body of the said *Frances Lister*, successively in Tail general; and for want of such Issue, To the Use of the said *Mary Manuel* the Daughter, for and during the Term of her natural Life, without Impeachment of Waste; Remainder to the same Trustees, and their Heirs, during the Life of the said *Mary Manuel* the Daughter, upon Trust, to support the contingent Uses herein after limited or expressed; and from and after the Decease of the said *Mary Manuel* the Daughter, To the Use of the first Son of the Body of the said *Mary Manuel* the Daughter, and the Heirs of the Body of such first Son; and for want of such Issue, To the Use of the second, third, and all and every other the Son and Sons of the Body of the said *Mary Manuel* the Daughter, successively in Tail general; and for want of such Issue, To the Use of the first Daughter of the Body of the said *Mary Manuel* the Daughter, and the Heirs of the Body of such first Daughter; and for want of such Issue, To the Use of the second, third, and all and every other the Daughter and Daughters of the Body of the said *Mary Manuel* the Daughter, successively in Tail general; and for Default of such Issue, To the Use of the said *Francis Spink* the younger, his Heirs and Assigns for ever: And as to the other undivided Moiety of the said last-mentioned and remaining undivided Third Part, To the Use of the said *Mary Manuel* the Daughter, for and during the Term of her natural Life, without Impeachment of Waste; Remainder to the same Trustees, and their Heirs, during the Life of the said *Mary Manuel* the Daughter, upon Trust, to support the contingent Uses herein after limited or expressed; and from and after the Decease of the said *Mary Manuel* the Daughter, To the Use of the first Son of the Body of the said *Mary Manuel* the Daughter, and the Heirs of the Body of such first Son; and for want of such Issue, To the Use of the second, third, and all and every other the Son and Sons of the Body of the said *Mary Manuel* the Daughter, successively in Tail general; and for want of such Issue, To the Use of the first Daughter of the Body of the said *Mary Manuel* the Daughter, and the Heirs of the Body of such first Daughter; and for want of such Issue, To the Use of the second, third, and all and every other the Daughter and Daughters of the Body of the said *Mary Manuel* the Daughter, successively in Tail general; and for want of such Issue, To the Use of the said *Frances Lister*, during the Term of her natural Life, without Impeachment of Waste; Remainder to the same Trustees, and their Heirs, during the Life of the said *Frances Lister*, upon Trust, to support the contingent Uses herein after limited or expressed; and from and after the Decease of the said *Frances Lister*, To the Use of the first Son of the Body of the said *Frances Lister*, and the Heirs of the Body of such first Son; and for want of such Issue, To the Use of the second, third, and all and every other the Son and Sons of the Body of the said *Frances Lister*, successively

successively in Tail general; and for want of such Issue, To the Use of the first Daughter of the Body of the said *Frances Lister*, and the Heirs of the Body of such first Daughter; and for want of such Issue, To the Use of the second, third, and all and every other the Daughter and Daughters of the Body of the said *Frances Lister*, successively in Tail general; and for want of such Issue, To the Use of the said *Francis Spink* the younger, his Heirs and Assigns for ever.

Saving nevertheless to the KING's Most Excellent MAJESTY, his Heirs and Successors, and to all and every other Person and Persons, Bodies Politick and Corporate, and their Heirs and Successors, (Except the said *Mary Manuel* the Mother, *Matthew Lister* and *Frances* his Wife, *Mary Manuel* the Daughter, *Jane Manuel*, and *Francis Spink* the younger, and the respective Issues of the Bodies of the said *Frances Lister*, *Mary Manuel* the Daughter, and *Jane Manuel*, and the Heirs of the said *Francis Spink* the younger, and all claiming or to claim by, from, or under them the said *Mary Manuel* the Mother, *Matthew Lister* and *Frances* his Wife, *Mary Manuel* the Daughter, *Jane Manuel*, and *Francis Spink* the younger, or any, or either of them, or by, from, or under the said Will of the said *James Manuel* deceased, or by, from, or under the said Indentures of Lease and Release) All such Right, Title, Interest, Claim, and Demand whatsoever, of, in, or to the said Premises in *Great Driffeld* aforesaid, or any Part thereof, as they, or any of them, had at the Time of the making this Act, or might have had, if this Act had not been made.

Manuel.

and Captain of the said James

Manuel, late of the County of

Driffeld, deceased, and the said

James Manuel, late of the County

of Driffeld, deceased, and the said

successively in Tail general; and for want of such Issue, To the Use of the said Daughter of the Body of the said Francis Lister, and the Heirs of the Body of such Tail Daughter; and for want of such Issue, To the Use of the second child, and all and every other the Daughter and Daughters of the Body of the said Francis Lister, successively in Tail general; and for want of such Issue, To the Use of the said Francis Lister's younger, his Heirs and Assigns for ever.

And in witness whereof, the KING'S Most Excellent Majesty, his Heirs and Successors, and to all and every other Person and Persons, Bodies Politick and Corporate, and their Heirs and Successors, (Except the said Mary Mannel, the Mother, Matthew Lister, and Francis Lister, Mary Mannel, the Daughter, James Mannel, and Francis Lister the younger, and the respective Issues of the Bodies of the said Francis Lister, Mary Mannel, the Daughter, and James Mannel, and the Heirs of the said Francis Lister the younger, and all claiming or to claim by, from, or under them, the said Mary Mannel the Mother, Matthew Lister, and Francis Lister, Mary Mannel, the Daughter, James Mannel, and Francis Lister the younger, or any or either of them, or by, from, or under the said Will of the said James Mannel deceased, or by, from, or under the said Indentures of Lease and Release) All such Right, Title, Interest, Claim, and Demand whatsoever, of, in, or to the said James Mannel Driftfield aforesaid, or any Part thereof, as they, or any of them, had at the Time of the making this Act, or might have had, if this Act had not been made.

An ACT for settling certain Mes-
sages, Lands, and Hereditaments
in Great Driftfield in the County
of York, Part of the Estate of
James Mannel, late of New Mal-
ton in the same County, deceased.
To the Uses mentioned in certain
Articles of Agreement, made be-
tween the Widow and the Daugh-
ters and Coheirs of the said James
Mannel.

